



October 11, 1999

Mr. Roland Castaneda  
General Counsel  
Dallas Area Rapid Transit  
P.O. Box 660163  
Dallas, Texas 75266-0163

OR99-2891

Dear Mr. Castaneda:

You ask whether certain information is subject to required public disclosure under the, Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 129170.

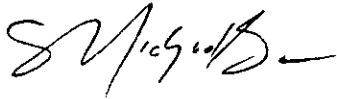
Dallas Area Rapid Transit ("DART") received a written request for all documents pertaining to Solicitation No. 99035855. You state that most of the requested information will be made available to the requestor. You seek to withhold, however, portions of certain documents pursuant to section 552.107(1) of the Government Code.

Section 552.107(1) of the Government Code protects information coming within the attorney-client privilege. *See* Open Records Decision No. 574 (1990). In instances where an attorney represents a governmental entity, the attorney-client privilege protects only an attorney's legal advice and client confidences. *Id.* After reviewing the documents at issue, we agree that DART may withhold the yellow highlighted portions of the documents at issue pursuant to section 552.107(1). The remaining portions of those documents must be released to the requestor.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination

regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Jay Burns", with a stylized flourish at the end.

Michael Jay Burns  
Assistant Attorney General  
Open Records Division

MJB/RWP/nc

Ref.: ID# 129170

Encl. Submitted documents

cc: Mr. Michael A. Elam  
Paradigm Business Communications  
3920 Guston Hall  
Plano, Texas 75025  
(w/o enclosures)